

DETAILED ACTION

Response to Amendment/Remarks

Disposition of Claims

- I. Claims 13-14 and 16-23 remain pending in the application.

Response to Arguments

- II. Applicant's arguments filed 4/7/2008 have been fully considered but they are not persuasive.

Applicant has responded to the 35 USC § 112, first paragraph rejection of claims 13-14 and 16 by stating that “a verbatim disclosure of all the features recited in a claim is not required, as long as after reading the specification one skilled in the art would reasonably concluded that the claimed invention contained those features.” (see Response to Office Action, page 6, dated April 7, 2008).

However, based on the application as filed, there is no disclosure to indicate that the multi-access system uses a modem to receive communication signals from and transmit communications to the personal computer, as well as a modem coupled to the computer though a Bluetooth connection. The definition for NEW MATTER is about subject matter in amended cases not disclosed in the original application as filed, such that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The statement that 35 USC § 112, first paragraph, does not require that the (claimed) term must also be used in the specification only applies to situations where **the claims are originally presented as filed**. If the un-supported subject matter were introduced in an

amendment, it is clearly indicated that such a claim should be rejected under 35 USC § 112, first paragraph for new matter. See 37 CFR 1.53 (b)

Therefore, the rejection under 35 USC § 112, first paragraph below is deemed proper and the rejection stands.

III. Regarding claim 13 the combination of Agrawal and Cousins teach a device as claimed.

Regarding claim 13 Agrawal teaches a data transmission system (see col. 2, lines 50-53). Agrawal teaches a master device and a slave device (see col. 2, lines 50-60). Agrawal teaches a multi-accessing system including a master device and a slave device that are coupled together through a Bluetooth connection (see col. 2, lines 50-60). Agrawal teaches wherein data packets are transmitted between the master device and slave device included in the multi-accessing system through the Bluetooth connection, and the multi-accessing including the master device and slave device transmits the data packets via an air interface (see col. 2, lines 65-67 and col. 3, lines 12-24). Cousins is being combined with Agrawal to show that a modem device can be used to transmit data packets between a computer device and the Internet (see paragraph [0027]). Furthermore, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding claims 18-19 and 21-23, applicant's arguments amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Furthermore, regarding claim 18, claim 18 does not depend on claim 16 and claim 16 does not require that the multi-access system "sends data packets belonging to a same call from the computer for wireless transmission through a plurality of radio communication terminals". Claim 18 does depend on claim 17 which does require that the multi-access system "sends data packets belonging to a same call from the computer for wireless transmission through a plurality of radio communication terminals". The combination of Agrwal and Cousins teaches a device as claimed in claim 17 and is recited in the art rejection below.

IV. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

V. Claims 13-14 and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 13-14 and 16 contain the term “modem”. The term “modem” is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The term first appears in claims 13-14 and 16 of an amendment dated 05/03/2007. However, because the amendment adding this term was over three years after the 07/08/2003 filing date of the application and the term is not recited or suggested anywhere else in the application as filed, the amendment constitutes new matter.

The following art rejection is based on the best possible interpretation of the claim language in light of the rejection under 35 U.S.C. 112, first paragraph.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

VI. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 recites "a multi-access system, including a modem, coupled to the computer the computer through a Bluetooth connection" in lines 3-4. The limitation does not adequately describe what the computer is coupled to because from the claim language it is unclear as to whether the computer is coupled to the multi-access system or the modem. The limitation renders the claim indefinite for failing to point out and distinctly claim subject matter which the applicant regards as his invention.

Claims 13 and 17-18 recites the limitation "the computer" in line 3, 2, and 4 respectively. There is insufficient antecedent basis for this limitation in the claim because the claim 13 earlier refers to a "personal computer" in line 2. The limitation renders the claim indefinite for failing to point out and distinctly claim subject matter which the applicant regards as his invention.

The following art rejection is based on the best possible interpretation of the claim language in light of the rejection under 35 U.S.C. 112, second paragraph.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

VII. Claims 13-14 and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agrawal et al. (US 7,139,285 B2) in view of Cousins (US 2001/0029544 A1).

Regarding claim 13 Agrawal teaches a data transmission system (see col. 2, lines 50-53). Agrawal teaches a master device and a slave device (see col. 2, lines 50-60). Agrawal teaches a multi-accessing system including a master device and a slave device that are coupled together through a Bluetooth connection (see col. 2, lines 50-60). Agrawal teaches wherein data packets are transmitted between the master device and slave device included in the multi-accessing system through the Bluetooth connection, and the multi-accessing including the master device and slave device transmits the data packets via an air interface (see col. 2, lines 65-67 and col. 3, lines 12-24). Agrawal does not specifically teach a personal computer and the multi-accessing system including a modem transmitting the data packets via an air interface for accessing the Internet. Cousins teaches a personal computer and a modem transmitting the data packets for accessing the Internet (see paragraph [0027]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in Agrawal adapt to include a personal computer and the multi-accessing system including a modem transmitting the data packets via an air interface for accessing the Internet because the master device and/or slave

devices in Agrawal have the same function of transmitting and receiving data packets via an air interface as the claimed personal computer and including a modem device as taught in Cousins would allow for data packets to be properly transmitted and received for accessing the Internet.

Regarding claim 14 Agrawal and Cousins teach a device as recited in claim 13 except for a radio transmitting system, coupled to the modem of the multi-access system that allows a plurality of personal computers to access at least one radio communication terminal. Agrawal does teach a radio transmitting system, coupled to the master device and slave device of the multi-access system that allows a plurality of devices to access at least one radio communication terminal (see col. 3, lines 12-24). Cousins does teach a transmitting system coupled to a modem that allows a personal computer to access at least communication device (see paragraph [0027]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a radio transmitting system, coupled to the modem of the multi-access system that allows a plurality of personal computers to access at least one radio communication terminal because the master device and/or slave devices in Agrawal have the same function of accessing at least one radio communication terminal as the claimed personal computer and including a modem device as taught in Cousins would allow for data packets to be properly transmitted and received.

Regarding claim 16 Agrawal and Cousins teach a device as recited in claim 13 except for at least one radio communication terminal coupled to the modem; and wherein the multi-access system is between the radio communication terminal and the personal computer. Agrawal does teach at least one radio communication terminal coupled to the multi-access system; and wherein the multi-access system including the master device and slave device is coupled to the radio

Art Unit: 2617

communication terminal. Cousins does teach at least one communication terminal coupled to the modem (see paragraph [0027]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include wherein the modem comprises at least one radio communication terminal; and a multi-access system between the radio communication terminal and computer because the master device and/or slave devices in Agrawal have the same function of accessing at least one radio communication terminal as the claimed personal computer and including a modem device as taught in Cousins would allow for data packets to be properly transmitted and received.

Regarding claim 17 Agrawal and Cousins teach a device as recited in claim 16 except for wherein the multi-access system sends data packets belonging to a same call from the computer for wireless transmission through a plurality of radio communication terminals. Agrawal does teach a multi-access system including a master device and slave device that sends data packets belonging to a same transmission from a master device for wireless transmission through a plurality of communication terminals (see col. 3, lines 12-24). Cousins does teach a communication system sending data packets from a computer for transmission (see paragraph [0027]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include wherein the multi-access system sends data packets belonging to a same call from the computer for wireless transmission through a plurality of radio communication terminals because the master device and/or slave devices in Agrawal have the same function of accessing at least one radio communication terminal as the claimed personal computer and including a modem device as taught in Cousins would allow for data packets to be properly transmitted and received.

Regarding claim 18 Agrawal and Cousins teach a device as recited in claim 18 except for wherein the multi-access system sends the data packets through the plurality of radio communication terminals based on a same destination IP address and a same data link address, the same data link address corresponding to a computer. Agrawal does teach a multi-access system sending data packets through a plurality of radio communication terminals based on a same destination address and a same data link address (see col. 3, lines 52-67). Cousins does teach a communication system sending data packets from a computer for transmission (see paragraph [0027]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include wherein the multi-access system sends the data packets through the plurality of radio communication terminals based on a same destination IP address and a same data link address, the same data link address corresponding to a computer because the master device and/or slave devices in Agrawal have the same function of accessing at least one radio communication terminal as the claimed personal computer and including a modem device as taught in Cousins would allow for data packets to be properly transmitted and received.

Regarding claim 19 Agrawal teaches a system for receiving data packets from a plurality of devices (see col. 3, lines 12-24). Agrawal teaches a packet connection system for interfacing with one or more radio communication terminals (see col. 3, lines 12-24). Agrawal teaches a multi-access routing system for routing data packets from the system to the radio communication terminals according to a slot assignment method (see col. 4, lines 38-49). Agrawal does not specifically teach plurality of personal computers. Agrawal does teach radio devices transmitting packet data (see col. 2, lines 65-67). Cousins does teach a communication system

Art Unit: 2617

receiving data packets from a personal computer (see paragraph [0027]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a multimedia system and receiving data packets from computers because the master device and/or slave devices in Agrawal have the same function of accessing at least one radio communication terminal as the claimed personal computer and including a modem device as taught in Cousins would allow for data packets to be properly transmitted and received.

Regarding claim 20 Agrawal and Cousins teach a device as recited in claim 19 except for wherein the slot assignment method is set by the plurality of computers. Agrawal does teach a slot assignment method (see col. 4, lines 38-49). Cousins does teach addressing that is set by computers (see paragraph [0033]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include wherein the slot assignment method is set by the plurality of computers because the master device and/or slave devices in Agrawal have the same function of accessing at least one radio communication terminal as the claimed personal computer and including a modem device as taught in Cousins would allow for data packets to be properly transmitted and received.

Regarding claim 21 Agrawal teaches performing a one-on-one assignment for mapping each of the devices to a respective one of the radio communication terminals; and a common sharing method for allowing each device to share the plurality of radio communication terminals for transmitting data packets (see col. 3, lines 12-24 & 52-67). Agrawal does not specifically teach the communication device being a personal computers. Cousins does teach a communication device that is a personal computer (see paragraph [0027]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device

adapt to include a computer because the master device and/or slave devices in Agrawal have the same function of accessing at least one radio communication terminal as the claimed personal computer and including a modem device as taught in Cousins would allow for data packets to be properly transmitted and received.

Regarding claim 22 Agrawal teaches a receiving system comprising a plurality of physical data link control circuits provided in one-to-one correspondence with the plurality of devices, each of the physical data link control circuits controlling a corresponding physical data link (see col. 4, lines 9-18). Agrawal does not specifically teach a TCP/IP control circuit to perform a TCP/IP protocol function on data packets transmitted from the plurality of physical data link control circuits; a command/response control circuit for performing/responding to a command of the computers transmitted from the TCP/IP control circuit; and a data control circuit for sorting and buffering data transmitted from the TCP/IP control circuit. Cousins teaches a TCP/IP control circuit to perform a TCP/IP protocol function on data packets transmitted from a plurality of physical data link control circuits (see paragraphs [0029] - [0033]). Cousins teaches a command/response control circuit for performing/responding to a command of the computers transmitted from the TCP/IP control circuit (see paragraph [[0029] - [0033]). Cousins teaches a data control circuit for sorting and buffering data transmitted from the TCP/IP control circuit [0021]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a TCP/IP control circuit to perform a TCP/IP protocol function on data packets transmitted from the plurality of physical data link control circuits; a command/response control circuit for performing/responding to a command of the computers transmitted from the TCP/IP control circuit; and a data control circuit for sorting and

buffering data transmitted from the TCP/IP control circuit because this would allow for data packets to be properly transmitted and received for accessing the Internet.

Regarding claim 23 Agrawal teaches setting a slot assignment method according to a command of at least one of the devices, assigning a slot to one of the devices according to a set slot assignment method, and routing data packets associated with a same call between the one of the master devices and slave devices based on the destination address and the data link address associated with each of the packets (see col. 3, lines 12-24 & 52-67). Agrawal does not specifically teach personal computers setting slot assignments. Cousins does teach personal computers setting IP assignments (see paragraph [0033]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include computers setting slot assignments because the master device and/or slave devices in Agrawal have the same function of accessing at least one radio communication terminal as the claimed personal computer and including a modem device as taught in Cousins would allow for data packets to be properly transmitted and received.

Conclusion

VIII. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON J. MILLER whose telephone number is (571)272-7869. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

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July 14, 2008

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